

REMARKS

Claims 1-21 are pending. Claims 14-21 have been withdrawn from consideration by the Examiner. By this Amendment, claims 1 and 10 are amended. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the courtesies extended to Applicant's representative at the January 23, 2004 personal interview. The points discussed are incorporated herein. More particularly, the Examiner indicated that he would withdraw the objection to the title. Further, the Examiner indicated that he would reconsider the Restriction Requirement based on the arguments by Applicant's representative that claim 14 is a proper linking claim under MPEP §809. Further, the Examiner and Applicant's representative agreed on amendments to independent claims 1 and 10 which would define over the Tam reference.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal if necessary. Entry is thus requested.

The Office Action rejected claims 1-3, 6-9, and 10-11 under 35 U.S.C. §102(b) as being anticipated by the reference J. Appl. Phys. Vol. 71, No. 7, April 1992, to Tam et al. (hereinafter "the Tam reference"). The rejection is respectfully traversed.

However, independent claims 1 and 10 have been amended to recite "irradiating the one or more particle(s), the surface and/or the energy transfer medium with laser energy from a laser energy source" and "creating a temperature gradient adjacent to the surface using a heating and/or cooling source separate from the laser energy source to prevent the one or more particle(s) from redepositing on the surface." As agreed at the personal interview, the Tam reference does not disclose or suggest creating a temperature gradient adjacent to the surface using a heating and/or cooling source separate from the laser energy source to prevent one or more particle(s) from redepositing on the surface.

Accordingly, the Tam reference fails to disclose or suggest the claimed method of independent claims 1 and 10. Dependent claims 2-3, 6-9, and 11 are allowable at least for the reasons discussed above with respect to independent claims 1 and 10, from which they respectively depend, as well as for their added features.

The Office Action rejected claims 4-5 and 12-13 under 35 U.S.C. §103(a) as being unpatentable over the Tam reference in view of Allen, U.S. Patent No. 4,987,286. The rejection is respectfully traversed.

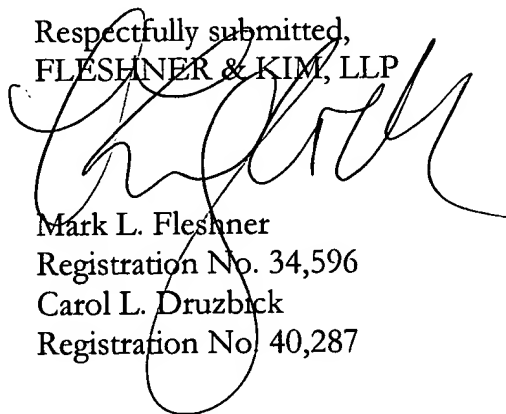
The Allen reference fails to overcome the deficiencies of the Tam reference discussed above with respect to independent claims 1 and 10. Accordingly, claims 4-5 and 12-13 are

allowable at least for the reasons discussed above with respect to independent claims 1 and 10, from which they respectively depend, as well as for their added features, and thus the rejection should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbeck, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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